

Judge McMahon

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

LOLA B. THORPE, individually and on behalf of
all others similarly situated,

SUMMONS IN A CIVIL ACTION

V.

ZIMMER, INC., ZIMMER HOLDINGS, INC. and
ZIMMER US, INC.

CASE NUMBER:

'08 CIV 3888

TO: (Name and address of Defendant)

Zimmer, Inc.
345 East Main Street
Warsaw, IN 46581
Kosciusko County

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

PARKER WAICHMAN ALONSO LLP
111 Great Neck Road, 1st Floor
Great Neck, New York 11021

an answer to the complaint which is served on you with this summons, within 30 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

(By) DEPUTY CLERK

DATE

APR 24 2008

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RETURN OF SERVICE			
Service of the Summons and complaint was made by me ⁽¹⁾	DATE <u>5-20-08</u>		
NAME OF SERVER (PRINT) <u>Mike Mulligan</u>	TITLE <u>Deputy</u>		
Check one box below to indicate appropriate method of service			
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: <u>C/O Kerri Biebler, receptionist</u> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: <input type="checkbox"/> Returned unexecuted: <input type="checkbox"/> Other (specify):			
STATEMENT OF SERVICE FEES			
TRAVEL	SERVICES	TOTAL <u>\$0.00</u> <u>60-</u>	
<div style="text-align: right;"><u>paid</u></div> <th style="text-align: center; padding: 5px;">DECLARATION OF SERVER</th>			DECLARATION OF SERVER
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>5-20-08</u> <u>X <u>Mike Mulligan</u></u></p> <p style="margin-left: 280px;">Date</p> <p style="margin-left: 280px;">Signature of Server</p> <p style="margin-left: 280px;"><u>221 W. Main St. Warsaw, IN. 46580</u></p> <p style="margin-left: 280px;">Address of Server</p>			

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.